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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,885	11/26/2003	Tomohiro Aikawa	520.43300X00	5996

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EXAMINER	
RAO, ANAND SHASHIKANT	
ART UNIT	**PAPER NUMBER**
2621	

MAIL DATE	DELIVERY MODE
05/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/721,885	AIKAWA ET AL.	
	Examiner	Art Unit	
	Andy S. Rao	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 February 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Takahashi et al., (hereafter referred to as "Takahashi").

Takahashi discloses a motion picture transmission method for transmitting video data through a transmission line that a motion picture signal is coded in a video transmission unit (Takahashi: column 20, lines 27-35), said method comprising the steps of: generating at least I picture data and a plurality of P picture data in said video transmission unit (Takahashi: column 4, lines 30-43); and transmitting said I picture data and a predetermined number of P picture data in accordance with a request from said transmission line (Takahashi: column 25, lines 45-60), as in the claim 1.

Regarding claim 2, Takahashi discloses wherein said transmission line comprises transmission lines-having different transmission speeds of said video data, and the number of said P picture data is changed according to transmission speeds of said transmission lines (Takahashi: column 1, lines 20-42), as in the claim.

Regarding claim 3, Takahashi discloses wherein said video transmission unit encodes said motion picture signal on the bases of either one of MPEG-4 and MPEG-2 (Takahashi: column 2, lines 1-6), as in the claim.

Regarding claim 4, Takahashi discloses wherein in the case where it is determined that said I picture data comprises at least first I picture data and second I picture data, transmission of said P picture data subsequent to said first I picture data is cancelled and transmission is started from said second I picture data (Takahashi: column 14, lines 45-67; column 15, lines 1-15), as in the claim.

Regarding claim 5, Takahashi discloses wherein when the number of said P picture data is changed, the number of P picture data subsequent to said I picture data is changed in accordance with the transmission speed of said transmission line (Takahashi: column 1, lines 20-34), and the changed number of said P picture data is transmitted (Takahashi: column 14, lines 35-45).

Regarding claim 6, Takahashi discloses wherein said video transmission unit stores the number of I picture data and a plurality of P picture data according to a request from said transmission line, and transmits said stored I picture data and P picture data as stream data of a GOP unit to said transmission line (Takahashi: column 4, lines 25-45), as in the claim.

Takahashi discloses a motion picture transmission system (Takahashi: figure 37) comprising: a video transmission unit for encoding a motion picture signal (Takahashi: column 1, lines 23-42); a transmission line for transmitting video data encoded in said video transmission unit (Takahashi: column 26, lines 65-67; column 27, lines 1-10); and a video reception unit for receiving said video data transmitted via said transmission line wherein said video transmission unit includes generator for generating at least an I picture data and a plurality of P picture data (Takahashi: column 4, lines 30-43), and selector for selecting said I picture data and a predetermined number of P picture data in accordance with a request from said transmission line (Takahashi: column 25, lines 45-60), as in claim 7.

Regarding claim 8, Takahashi discloses wherein said transmission line comprises transmission lines having different transmission speeds of said video data, and said selector for selecting said I picture and a predetermined number of P picture data in accordance with a request from said transmission line includes means for changing the number of said P picture

data in accordance with transmission speeds of said transmission lines and sending the changed number of said P picture data (Takahashi: column 1, lines 20-42), as in claims 8.

Regarding claim 9, Takahashi discloses wherein the means for changing the number of said P picture data in accordance with transmission speed of said transmission line and transmitting the changed number of said P picture data includes means for changing the number of P picture data subsequent to said I picture data (Takahashi: column 14, lines 35-45), as in the claim.

Regarding claim 10, Takahashi discloses wherein said image transmission unit further comprises a memory unit (Takahashi: column 26, lines 10-40), said memory unit stores the number of I picture data and a plurality of P picture data according to a request from said transmission line, and said video transmission unit converts said stored I picture data and P picture data into stream data of a GOP unit and transmits said stream data to said transmission line (Takahashi: column 14, lines 35-45), as in the claim.

Regarding claim 11, Takahashi discloses a motion picture transmission system wherein said video reception unit comprises a plurality of video reception units, said plurality of video reception units being connected to transmission lines of different transfer speeds of said video data, respectively, said video transmission unit transmits a predetermined number of I picture data and P picture data in accordance with a request from each of said video reception units to each of said video reception units, and each of Said video reception units reproduces a motion picture from each of the received I picture data and P picture data (Takahashi: column 1, lines 20-45), as in the claim.

Takahashi discloses a motion picture transmission apparatus (Takahashi: figure 37) comprising: a coding unit for converting a motion picture signal into at least I picture data and a plurality of P picture data (Takahashi: column 2, liens 25-34); a memory unit for storing said I and P picture an output unit for outputting said I and P picture data (Takahashi: column 26, lines 10-40); and a control unit for controlling said output unit, wherein said control unit controls the number of I picture data and the number of P picture data output from said output unit in accordance with a request from a transmission line (Takahashi: column 14, lines 35-45), as in claim 12.

Regarding claims 13-14, Takahashi disclose wherein a request from said transmission line is the different number of said I picture data and said P picture data, and said control unit changes the number of said P picture data in accordance with a request from said transmission line and transmits the changed number of P picture data (Takahashi: column 25, lines 45-55), as in the claims.

Regarding claim 15, Takahashi discloses wherein said memory unit stores the number of I picture data and a plurality of P picture data according to a request from said transmission line, and said control unit converts said stored I picture data and P picture data into stream data of the GOP unit and transmits the stream data from said output unit (Takahashi: column 26, lines 10-40), as in the claim.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Eleftheriadis discloses a system and method for processing object based AV

information. Aharoni discloses a system and method for adaptive video/audio transport over a network.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (571)-272-7337. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571)-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andy S. Rao
Primary Examiner
Art Unit 2621

asr
May 10, 2007